

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
LONNIE DEAN HUFF, )  
)  
Defendant. )

Cause No. 4:13-cr-14-SEB-VTW

**REPORT AND RECOMMENDATION**

On May 23, 2018, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on February 9, 2018 (Docket No. 91). Defendant Lonnie Dean Huff appeared in person with his appointed counsel Jennifer H. Culotta. The government appeared by William L. McCoskey, Assistant United States Attorney. U. S. Probation appeared by Officer Brian Bowers.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Mr. Huff of his rights and provided him with a copy of the petition.
2. Mr. Huff waived his right to a preliminary hearing.
3. The parties advised the Court they had reached an agreement to resolve the allegations in the Petition.
4. After being placed under oath, Mr. Huff admitted Violation No. 1 (Docket No. 91).
5. The allegation to which Defendant admitted, as fully set forth in the petition, are:

**Violation  
Number**

**Nature of Noncompliance**

- 1           **“The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.”**

On October 24, 2016, the offender tested positive for amphetamines. He admitted taking Adderall pills on October 23, 25, 28, and 29; 2016, without a prescription.

6.       The Government orally moved to withdraw Violation Numbers 2 through 4, and the same was GRANTED.

7.       The parties stipulated that:

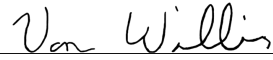
- (a)     The highest grade of violation is a Grade B violation.
- (b)     Defendant’s criminal history category is V.
- (c)     The range of imprisonment applicable upon revocation of supervised release, therefore, is 18 to 24 months’ imprisonment.

8.       The parties jointly recommended Mr. Huff be sentenced to 15 months imprisonment with the Bureau of Prisons with no term of supervised release to follow.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant VIOLATED the conditions in Violation No. 1 of the Petition, that his supervised release should be REVOKED, and that he should be sentenced to the custody of the Attorney General or his designee for a period of 15 months with no supervised release to follow. The defendant is remanded to the custody of the U.S. Marshal.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Dated: 5/25/2018

A handwritten signature in cursive script, reading "Van Willis", positioned above a horizontal line.

VAN WILLIS  
United States Magistrate Judge  
Southern District of Indiana

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United States Probation  
United States Marshal